

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

UNITED STATES OF AMERICA <i>ex rel.</i>)	
BROOK JACKSON,)	
)	
Plaintiff,)	
)	Civil Action No.: 1:21-cv-00008-MJT
v.)	
)	
VENTAVIA RESEARCH GROUP, LLC;)	
PFIZER, INC.; ICON PLC)	
)	
Defendants.)	
)	

**ICON PLC'S NOTICE OF JOINDER IN
PFIZER'S NOTICE OF PENDING REQUEST FOR ORAL ARGUMENT AND
MOTION TO CONTINUE DISCOVERY DEADLINES**

Under Federal Rule of Civil Procedure 10(c), ICON plc (“ICON”) hereby joins in and adopts by reference Pfizer’s Notice of Pending Request for Oral Argument and Opposed Motion to Continue Discovery Deadlines (ECF No. 87) (“Pfizer’s Motion”). As discussed further in Pfizer’s Motion, the status quo should be maintained and discovery deadlines should be continued because, *inter alia*, Defendants’ motions remain pending, Defendants have raised strong arguments to dismiss Relator’s Amended Complaint, and the United States has filed a Statement of Interest agreeing that dismissal is appropriate. Further, as ICON has previously argued, the Court should stay discovery as Relator’s threadbare allegations concerning ICON fall far short of satisfying the heightened pleading standard imposed by Federal Rule of Civil Procedure 9(b). (ECF No. 84). Allowing discovery based on these unambiguously deficient allegations would defeat Rule 9(b)’s gatekeeping purpose. (*See id.* at 2 (collecting cases)). And, because ICON is based in Ireland, discovery would implicate issues relating to foreign data privacy laws and regulations, meaning that embarking on discovery at this point would be particularly burdensome on ICON.

ICON joins Pfizer in respectfully requesting that the Court grant a three-month continuance of the discovery deadline to June 15, 2023 or another appropriate date of the Court's choosing. ICON additionally joins Pfizer in respectfully reiterating its request for oral argument on the pending motion to dismiss. (ECF No. 51).

Date: February 17, 2023

Respectfully submitted,

/s/ Scott L. Davis

Scott L. Davis
Texas Bar No. 05547030
HUSCH BLACKWELL, LLP
1900 N. Pearl Street, Suite 1800
Dallas, Texas 75201
Telephone: (214) 999-6184
Email: scott.davis@huschblackwell.com

Elai Katz (admitted pro hac vice)
Tammy Roy (admitted pro hac vice)
CAHILL GORDON & REINDEL LLP
32 Old Slip
New York, NY 10005
Telephone: (212) 701-3720
Email: ekatz@cahill.com
Email: troy@cahill.com

Counsel for ICON plc

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon all counsel of record on February 17, 2023 pursuant to the Court's ECF filing system and the Federal Rules of Civil Procedure.

/s/ Scott L. Davis
Scott L. Davis